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individually and as Trustee of The Martha
Kongsgaard GST Exempt Trust U/T/A Dated
October 21, 1993, and Peter Goldman

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

FRANCIS WANG, individually and as
Trustee of WFT-TNG, a California Trust,
and LAURA YOUNG, individually and as
Trustee of WFT-TNG, a California Trust

Plaintiffs,

v.

MARTHA KONGSGAARD, individually
and as Trustee of The Martha Kongsgaard
GST Exempt Trust U/T/A dated October 21,
1993, PETER GOLDMAN, AL CZAP, and
BRIAN PELETTA,

Defendants.

Case No. 3:19-cv-00907

JOINT STATUS REPORT

1 The parties to the above-entitled action jointly submit this JOINT STATUS REPORT,
2 pursuant to this Court's May 15, 2019 order staying the action pending the state court
3 proceedings and March 23, 2021 order setting September 3 as the deadline for a joint status
4 report. *See* Dkts. 29, 57.

5 Because the initial trial in the state court proceedings will be held next week, including
6 on September 10, the date scheduled for a status conference before this Court, the parties
7 respectfully ask the Court to reschedule the status conference.

8 The parties continue to litigate the state court proceedings in Napa County Superior
9 Court. *See Kongsgaard v. Wang*, Case No. 19CV000286. The court will hold an initial trial
10 beginning October 18, 2021, focused solely on Mr. Wang and Ms. Young's claim for specific
11 performance, including the existence of an enforceable contract for their purchase of a 12-acre
12 parcel from Ms. Kongsgaard, breach, and the availability of specific performance, along with
13 any contract defenses. The court's findings in that initial trial will be binding on the fact finder in
14 subsequent proceedings in the state court case and will impact whether and in what form the
15 court holds further trial proceedings.

16 Plaintiffs and Defendants discussed the court's jurisdiction, underlying facts, legal issues,
17 and other matters required in Joint Case Management Statements pursuant to the Standing Order
18 for All Judges of the Northern District of California in the Joint Status Report filed as docket
19 number 31 and therefore do not repeat that information here. Because the case is stayed, the
20 parties do not view alternative dispute resolution as appropriate at this time. And because the
21 stay remains in place, the time for the more recently added Defendants—Peter Goldman, Albert
22 Czap, and Brian Peletta—to answer or otherwise respond to the amended complaint and to file
23 any counterclaim or crossclaim has not yet begun. *See* Dkts. 48, 51, 53

1 Dated: September 2, 2021

By:

2 /s/ Jason M. Skaggs
3 Jason M. Skaggs
4 *Counsel for Plaintiffs*

5 Dated: September 2, 2021

By:

6 /s/ Timothy M. Flaherty
7 Timothy M. Flaherty
8 *Counsel for Defendants Martha Kongsgaard*
9 *and Peter Goldman*

10 I hereby attest that I have obtained concurrence in the filing of this document from all
11 other signatories.

12 /s/ Jason M. Skaggs
13 Jason M. Skaggs
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